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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,745	01/17/2002	Elad Barkan		2529

7590
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07/01/2005

EXAMINER

PERUNGA VOOR, VENKATANARAY

ART UNIT PAPER NUMBER

2132

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/046,745

Applicant(s)

BARKAN ET AL.

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: ISA Search Report.

DETAILED ACTION

Information Disclosure Statement

1. The Search Report from the ISA is being enclosed and listed. The claim for priority under 35 U.S.C § 120 for PCT/IL99/00369 is being made of record.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 recites the limitation "identification process" in Part E Line 1. There is insufficient antecedent basis for this limitation in the claim.

4. Claim 2-8 are also rejected by the virtue of their dependency.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claim 1 rejected under 35 U.S.C. 102(a) as being anticipated by JP2001-088478 to Toshiba Corp.(hereinafter Toshiba)

7. Regarding Claim 1, Toshiba discloses the programming an electronic device with a document issuing method that originates from a known authority and identification number and also provides tamper protection and prevention of

further alterations of identification data see Par. 0004-Par. 0009. And further Toshiba discloses the address of owner(physical identification of the owner) being embedded within the card see Par. 0018 & Par. 0035. Toshiba also discloses the match of the read data(ID and physical identification) to be used in generating and issuing document see Par. 0026 & Par. 0040.

8. Regarding Claim 2, Toshiba discloses the ID number being given to a card see Par. 0004.
9. Regarding Claim 3, Toshiba discloses the device reading a document prior to identification of the user see Abstract & Par. 0012-0013.
10. Regarding Claim 4 and 5, Toshiba discloses the verifying of identification information with the document see Par. 0011- Par. 0012 & Par. 0053-0056.
11. Regarding Claim 6, Toshiba discloses the document is output through a communication channel in the device see Par. 0040.
12. Regarding Claim 7, Toshiba discloses the issued digital document is stored in the device see Par. 0019.

13. Regarding Claim 8, Toshiba discloses the issued digital document being an certificate see Par. 0016.

14. Regarding Claim 9, Toshiba discloses the programming an electronic device with a document issuing method that originates from a known authority and identification number and also provides tamper protection and prevention of further alterations of identification data see Par. 0004-Par. 0009. And further Toshiba discloses the address of owner(physical identification of the owner) being embedded within the card see Par. 0018 & Par. 0035. Toshiba also discloses the match of the read data(ID and physical identification) to be used in generating and issuing document see Par. 0026 & Par. 0040. Toshiba discloses the output means for transmitting the certificate see Par. 0016.

15. Regarding Claim 10, Toshiba discloses the storing and retrieving the plurality of documents see Par. 0011 & Par. 0024.

16. Regarding Claim 11, Toshiba discloses the input/output terminal for digital documents see Par. 0026 & Par 0038.

17. Regarding Claim 13, Toshiba discloses the a IC(smart card) see Par. 0011.

Allowable Subject Matter

18. Claim 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion


19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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6/24/2005

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132


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